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8 Attorneys for Complainant
 9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 12 IN THE MATTER OF THE)
 EXTRADITION OF) No. CV 08-5556-JFW(CW)
 13 JOSE MANUEL GARIBAY FELIX,) ~~PROPOSED~~ CERTIFICATION OF
 aka Manuel Garibay Felix,) EXTRADITABILITY AND ORDER OF
 14 aka El Gordo,) COMMITMENT
 aka El Manuelon,)
 15 A Fugitive from the)
 16 Government of Mexico.)
 17)

18 The undersigned judicial officer has received three
 19 extradition requests filed by the United States Attorney for the
 20 Central District of California, for and on behalf of the
 21 Government of Mexico, relating to Jose Manuel Garibay Felix, aka
 22 Manuel Garibay Felix, aka El Gordo, aka El Manuelon. Those
 23 requests are as follows:

24 ORIGINAL EXTRADITION REQUEST, seeking extradition on
 25 charges of (1) violation of the federal law against
 26 organized crime, (2) growing marijuana, and (3)
 27 weapons stockpiling. The United States filed that
 28 extradition request on or about August 25, 2008.

1 FIRST SUPPLEMENTAL EXTRADITION REQUEST, seeking
2 extradition on charges of (1) aggravated kidnapping
3 and (2) aggravated homicide. The United States filed
4 that extradition request on or about March 17, 2009.
5

6 SECOND SUPPLEMENTAL EXTRADITION REQUEST, seeking
7 extradition on charges of (1) aggravated homicide,
8 (2) criminal association, and (3) violent robbery.
9 The United States filed that extradition request on
10 or about March 23, 2009.
11

12 The undersigned has also received an affidavit of consent to
13 extradition executed by Jose Manuel Garibay Felix and witnessed
14 by his attorney, Guadalupe Valencia.

15 On June 16, 2009, Jose Manuel Garibay Felix appeared before
16 the undersigned judicial officer in open session, accompanied by
17 his attorney, and in the presence of the aforementioned Assistant
18 United States Attorney. The Court addressed Jose Manuel Garibay
19 Felix and is satisfied that he is aware of his rights and that
20 the affidavit was executed by him knowingly and voluntarily.

21 Inasmuch as Jose Manuel Garibay Felix has conceded that he
22 is extraditable on the charges for which extradition is
23 requested, and has consented to a certification by the
24 undersigned judicial officer to that effect, and has further
25 consented to remain in custody until his transport to Mexico,
26 unless the Secretary of State declines to issue a surrender
27 warrant, the undersigned finds on the basis of the files and
28 record herein that:

1 1. The undersigned judicial officer is authorized under
2 Title 18, United States Code, Section 3184, to conduct an
3 extradition hearing.

4 2. The undersigned judicial officer and the Court on
5 which he sits have personal jurisdiction over Jose Manuel Garibay
6 Felix.

7 3. There is currently in force an extradition treaty
8 between the Government of the United States and the Government of
9 Mexico.

10 4. Jose Manuel Garibay Felix is wanted in Mexico for
11 prosecution on the charges in the three extradition requests
12 described above. He is the subject of arrest warrants issued in
13 Mexico on all those charges.

14 5. The charges for which extradition is sought
15 constitute extraditable offenses within the meaning of Article II
16 of the U.S.-Mexico Extradition Treaty.

17 6. Jose Manuel Garibay Felix has stipulated that there
18 is probable cause to believe that he committed the offenses for
19 which extradition is sought.

20 Based on the foregoing findings, the undersigned CONCLUDES
21 and ORDERS that Jose Manuel Garibay Felix is extraditable on all
22 offenses for which extradition is requested, and CERTIFIES this
23 finding to the Secretary of State pursuant to Title 18, United
24 States Code, Section 3184.

25 IT IS THEREFORE ORDERED that the Clerk of the Court
26 transmit to the Assistant United States Attorney a certified copy
27 of this Certification of Extraditability and the executed
28 Affidavit of Consent to Extradition and, further, that the Clerk

1 forward certified copies of the same to (1) The Secretary of
2 State, Attn: Amber Kluesener, Law Enforcement and Intelligence,
3 Office of the Legal Advisor, United States Department of State,
4 2201 C Street, N.W., Room 5419, Washington, D.C. 20520, and (2)
5 Mary Ellen Warlow, Director, Office of International Affairs,
6 Criminal Division, U.S. Department of Justice, 1301 New York
7 Ave., N.W., Washington, D.C. 20005 (Attn: Valinda Jones), for
8 appropriate disposition.

9 IT IS FURTHER ORDERED that Jose Manuel Garibay Felix shall
10 remain in custody until his transport to Mexico, unless the
11 Secretary of State declines to issue a surrender warrant.

12 Dated: This 16th day of June, 2009.

13 THE COURT FINDS THAT MR. GARIBAY FELIX HAS NOT
14 WAIVED ANY OF HIS RIGHTS PURSUANT TO THE DOCTRINE OF
SPECIALTY.

Carla M. Woehrle
HON. CARLA WOEHRLER
United States Magistrate Judge
Central District of California